

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

THOMAS FREEMAN,	:	
	:	
Plaintiff,	:	CIVIL ACTION
	:	
v.	:	
	:	
	:	NO. 12-1422
PHILADELPHIA HOUSING	:	
AUTHORITY, FRED PASOUR, and	:	
STACEY THOMAS,	:	
	:	
Defendants.	:	

ORDER

AND NOW, this 8th day of *August*, 2012, upon consideration of the Motion of Defendants Philadelphia Housing Authority (“PHA”) and Stacey Thomas to Dismiss Plaintiff’s Complaint Pursuant to Federal Rule of Civil Procedure 12(b)(6) (Docket No. 9), the Motion of Defendant Fred Pasour to Dismiss Plaintiff’s Complaint (Docket No. 8), the consolidated Response of Plaintiff Thomas Freeman (Docket No. 10), and Defendant Pasour’s Reply Brief (Docket No. 11), it is hereby **ORDERED** as follows:

1. Defendants’ Motions to Dismiss Counts I, II, and III of the Complaint are **GRANTED** and these Counts are **DISMISSED WITH PREJUDICE**;
2. Defendant PHA and Thomas’s Motion to Dismiss Counts IV and V of the Complaint is **DENIED**;
3. Defendant Pasour’s Motion to Dismiss Count V of the Complaint against him is **GRANTED WITHOUT PREJUDICE**. Plaintiff shall have twenty (20) days from the date of this Order to file an Amended Complaint properly pleading a claim for individual FMLA liability against Defendant Pasour.
4. Defendants’ Motions to Dismiss Counts VI and VII of the Complaint are **GRANTED** and these Counts are **DISMISSED WITH PREJUDICE**.

It is so **ORDERED**.

BY THE COURT:

s/ Ronald L. Buckwalter
RONALD L. BUCKWALTER, S.J.